

Congress of the United States
Washington, DC 20515

December 9, 2020

The Honorable Joseph R. Biden, Jr.
President-Elect of the United States
Biden-Harris Transition
Washington, D.C. 20500

Dear President-Elect Biden:

We write with congratulations on your election as the 46th President of the United States and to express our legislative priorities in the 117th Congress, which seek to undo the significant harm the previous administration has imposed on border communities in our country. We are hopeful that we may accomplish much in partnership with your Administration to alleviate these hardships and to restore effective U.S. Homeland Security policies, among which a wasteful border barrier has no place.

Therefore, we ask that the following actions be immediately prioritized by various Departments, under your Administration:

- 1) Rescind Proclamation 9844, “National Emergency Concerning the Southern Border of the United States,” and the associated unconstitutional reprogramming of Congressionally appropriated funding to their originally designated Defense and Military Construction accounts;
- 2) Direct the U.S. Department of Justice and the U.S. Attorney General to dismiss all ongoing condemnation litigation, and related civil proceedings against private and public landowners. We ask that you work to ensure ample protections are created so that future administrations cannot leverage eminent domain federal precedent to undertake similar projects, despite the opposition of local communities and private residents;
- 3) Terminate for convenience all current and pending U.S. Army Corps of Engineer (USACE) contracts involving the acquisition of private land for border barrier construction along the southwest border. Additionally, halt the expenditure of all previously appropriated federal funding from Homeland Security accounts for any additional construction of a wall at the southern border that is in opposition to the stated interests of private and public landowners; and
- 4) Prohibit the use of U.S. Department of Homeland Security waiver authority relating to the construction of new border barriers and join us in seeking its repeal. We ask that you, thereby, remove overly broad authority of the Secretary of Homeland Security to waive all legal requirements that, in the Secretary's view, may delay construction of barriers at the U.S. border. Rescinding this authority would ensure that the Department of

Homeland Security adheres to the same laws any other federal department or agency would have to follow.

We find urgency in our desire to remedy the challenges our communities have faced over the last four years due to the wasteful agenda of the previous administration. The ongoing public health and economic crises in our communities only serve to highlight these priorities in the 117th Congress. We, therefore, compel your Administration to act swiftly and look forward to working with you in support of these efforts.

Thank you for your consideration of our requests.

Sincerely,



Henry Cuellar
Member of Congress

_____/s/
Pete Aguilar
Member of Congress

_____/s/
Tony Cárdenas
Member of Congress

_____/s/
André Carson
Member of Congress

_____/s/
Joaquin Castro
Member of Congress

_____/s/
David Cicilline
Member of Congress

_____/s/
Emanuel Cleaver, II
Member of Congress

_____/s/
Steve Cohen
Member of Congress

_____/s/
Bonnie Watson Coleman
Member of Congress

_____/s/
J. Luis Correa
Member of Congress

_____/s/
Danny K. Davis
Member of Congress

_____/s/
Veronica Escobar
Member of Congress

_____/s/
Adriano Espaillat
Member of Congress

_____/s/
Ruben Gallego
Member of Congress

_____/s/
Sylvia Garcia
Member of Congress

_____/s/
Vicente Gonzalez
Member of Congress

_____/s/
Raúl Grijalva
Member of Congress

_____/s/
Ann Kirkpatrick
Member of Congress

_____/s/
Barbara Lee
Member of Congress

_____/s/
Ben Ray Luján
Member of Congress

_____/s/
James P. McGovern
Member of Congress

_____/s/
Grace Meng
Member of Congress

_____/s/
Eleanor Holmes Norton
Member of Congress

_____/s/
Jimmy Panetta
Member of Congress

_____/s/
Lucille Roybal-Allard
Member of Congress

_____/s/
Linda T. Sánchez
Member of Congress

_____/s/
Jan Schakowsky
Member of Congress

_____/s/
Debbie Wasserman Schultz
Member of Congress

_____/s/
Albio Sires
Member of Congress

_____/s/
Darren Soto
Member of Congress

_____/s/
Norma J. Torres
Member of Congress

_____/s/
Dina Titus
Member of Congress

_____/s/
Juan Vargas
Member of Congress

_____/s/
Nydia M. Velázquez
Member of Congress

_____/s/
Peter Welch
Member of Congress